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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,582	10/20/2003	Keiichiro Yoshihara	C14-163313M/YAH	2459

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EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/687,582	Applicant(s) YOSHIHARA ET AL.	
	Examiner Leonid Shapiro	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,7-11,17,22 and 23 is/are allowed.
- 6) ☒ Claim(s) 1,6,12-16,18-21,24-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Satori et al. (JP 07-160203).

As to claim 1, Satoru et al. teaches a vehicle-mounted apparatus, comprising:

a first panel including a first display, first panel being substantially directly mountable onto a surface of a vehicle and affixed thereto in a manner that said first display is viewable by a user (See Figs 4,6,9,10,12, items 41,60a,60b,85-87, in Detailed Description See paragraph 0023, 0027, 0030); and

a second panel including a second display, comprising adapting second panel to be opened and closed with respect to first display about a side thereof as an a first axis (See Figs 4,6-7,9-10,12, items 51,60a,60b,73,85-87 in Detailed Description See paragraphs 0023, 0027, 0029-0030).

As to claim 13, Satoru et al. teaches a a display device, comprising:

a first panel including a first display, first panel being substantially rigidly affixed to a surface in a manner that said first display is viewable by a user in a fully open position (See Figs 4,6,9,10,12, items 41,60a,60b,85-87, in Detailed Description See paragraph 0023, 0027, 0030); and

a second panel including a second display, comprising adapting second panel openable and closeable with respect to first display about a first axis located at an edge of first panel (See Figs 4,6-7,9-10,12, items 51,60a,60b,73,85-87 in Detailed Description See paragraphs 0023, 0027, 0029-0030).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al. in view of Chan et al. (US Patent No. 6,339,696 B1).

Satoru et al. does not disclose means for displaying a current audio source on at least one of first and second displays.

Chan et al. teaches audio/video source within the vehicle provides video programming to the display device corresponding to the audio signal (See Figs. 1, 8, items 12, 16, 206, in description See Col. 4, Lines 32-35 and Col. 9, lines 15-22).

It would have been obvious to one of ordinary skill in the art in the time of invention to display current a video/audio source as shown by Chan et al. in the Satoru et al. apparatus in order to satisfy the need for in-vehicle audio/video system (See Col. 1, Lines 34-35 in Chan et al. reference).

3. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al., and Chan et al. as applied to claims above, and further in view of Narayanaswamy et al. (US Patent No. 6,144,358).

Satoru et al. and Chan et al. do not show means detecting a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation and means for switching an input source upon detecting.

Narayanaswamy et al. teaches means detecting a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation (See Fig. 1A and 1B, items 102, 104, 106, in description See Col. 2, Lines 16-43) and means for switching an input source upon detecting (See Fig. 2, items 202, 204, in description See Col. 3, Lines 34-50).

It would have been obvious to one of ordinary skill in the art in the time of invention to detect a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation and means for switching an input source upon detecting as shown by Narayanaswamy et al. in the Satoru et al. and Chan et al. apparatus in order to present more usable information to the user (See Col. 1, Lines 40-43 in Narayanaswamy et al. reference).

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al. as applied to claim 1, and further in view of Shigemura (US Patent No. 5,075,686).

Satoru et al. does not teach operating switch changing a function indication according to at least one of whether second panel is open/closed.

Shigemura teaches group of switches and the input functions may changed over by opening or closing the cover (See Fig. 3, items 52-53, in description See Col. 1, Lines 35-40 and Col. 3, Lines 24-49).

It would have been obvious to one of ordinary skill in the art in the time of invention to use the change indications of input functions by opening or closing the cover as shown by Shigemura in the Satoru et al. apparatus in order to effect change-over of the indications by moving indication member (See Col. 1, Lines 63-66 in the Shigemura reference).

5. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al. and Shigemura as applied to claim 21, and further in view of Narayanaswamy et al.

Satoru et al. and Shigemura do not show second panel includes at least one control switch on a back surface of second panel, one control switch being exposed for operability when second panel is closed relative to the first panel.

Narayanaswamy et al. teaches second panel includes at least one control switch on a back surface of second panel, one control switch being exposed for operability when second panel is closed relative to the first panel (See Fig. 1A, item 100, Col. 2, Lines 16-26).

It would have been obvious to one of ordinary skill in the art in the time of invention to incorporate teaching of Narayanaswamy et al. into the Satoru et al. and Shigemura system in order to present more usable information to the user (See Col. 1, Lines 40-43 in Narayanaswamy et al. reference).

6. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al. as applied to claim 13 in view of Narayanaswamy et al.

Satoru et al. does not show second panel includes at least one control switch on a back surface of second panel, one control switch being exposed for operability when second panel is closed relative to the first panel.

Narayanaswamy et al. teaches second panel includes at least one control switch on a back surface of second panel, one control switch being exposed for operability when second panel is closed relative to the first panel (See Fig. 1A, item 100, Col. 2, Lines 16-26).

It would have been obvious to one of ordinary skill in the art in the time of invention to incorporate teaching of Narayanaswamy et al. into the Satoru et al. and Shigemurasystem in order to present more usable information to the user (See Col. 1, Lines 40-43 in Narayanaswamy et al. reference).

7. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al. as applied to claim 13 in view Ishida et al (US Patent No. 6,144,296).

Satoru et al. does not disclose sources of data comprises audio/video and navigation sources.

Ishida et al. teaches sources of data comprises audio/video and navigation sources (See Fig. 3, Col. 4, Lines 49-65).

It would have been obvious to one of ordinary skill in the art in the time of invention to incorporate teaching of Ishida et al. into the Satoru et al. system in order to provide a vehicle monitoring system (See Col. 2, Lines 36-44 in Ishida et al. reference).

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al., and Ishida et al. as applied to claim 18, and further in view of Narayanaswamy et al. (US Patent No. 6,144,358).

Satoru et al. and Ishida et al. do not show means detecting a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation and means for switching an input source upon detecting.

Narayanaswamy et al. teaches means detecting a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation (See Fig. 1A and 1B, items 102, 104, 106, in description See Col. 2, Lines 16-43) and means for switching an input source upon detecting (See Fig. 2, items 202,204, in description See Col. 3, Lines 34-50).

It would have been obvious to one of ordinary skill in the art in the time of invention to detect a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation and means for switching an input source

upon detecting as shown by Narayanaswamy et al. in the Satoru et al. and Ishida et al. apparatus in order to present more usable information to the user (See Col. 1, Lines 40-43 in Narayanaswamy et al. reference).

Allowable Subject Matter

9. Claim 2, 7-11,17,22-23 are allowed.

Relative to claim 8-10, the major difference between the teaching of the prior art of record (Satoru et al., Shigemura and Ishida et al.) and the instant invention is that second panel is rotatable thereof upside down in an axis of rotation that is perpendicular to said first axis.

Relative to claims 2, 17 the major difference between the teaching of the prior art of record (Satoru et al., Shigemura and Ishida et al.) and the instant invention is that the said prior art **does not** teach and the instant invention is that second panel is rotatable thereof upside down in an axis of rotation that is perpendicular to said first axis.

Claims 7,11,22-23 depend on claim 2.

Response to Arguments

10. Applicant's arguments filed 03/27/06 have been fully considered but they are not persuasive:

On page 11, 3rd paragraph of Remarks, Applicant's stated that relative to the device taught in Satoru, the present invention provides a simple mounting technique

(i.e., substantially directly to the surface) that does not need an expensive and complex motor-driven linkages and mechanism. However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a simple mounting technique) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The same argument will apply to the last paragraph of page 11 and 1st and 2nd paragraphs on page 12 of Remarks.

On page 12, 3rd and 4th paragraphs of Remarks, Applicant's stated that the first panel 13 shown in Drawing 1 of Satoru is not clearly not mountable onto the surface to which it is affixed when viewable by a user. However, the newly changes to the Fig. 1 and specification show that not the first panel is **directly** mounted to the dashboard, but the box-shaped case 1 (containing the first panel), that mounted to the dashboard. The same kind of box-shaped case used by Satoru reference to mount the first panel to the surface of a vehicle.

On page 12, 5th paragraph of Remarks, Applicant's stated that Naraynaswamy and Shigemura are non-analogous references. However, In response to applicant's argument that Naraynaswamy and Shigemura is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re*

Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Naraynaswamy teaches means detecting a position of second panel by a predetermined angle in terms of at least one of the open/close action and rotation (See Fig. 1A and 1B, items 102, 104, 106, in description See Col. 2, Lines 16-43) and means for switching an input source upon detecting (See Fig. 2, items 202,204, in description See Col. 3, Lines 34-50) and Shigemura teaches group of switches and the input functions may changed over by opening or closing the cover (See Fig. 3, items 52-53, in description See Col. 1, Lines 35-40 and Col. 3, Lines 24-49).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Telephone inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LS
05.25.06



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
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1/9

FIG. 1

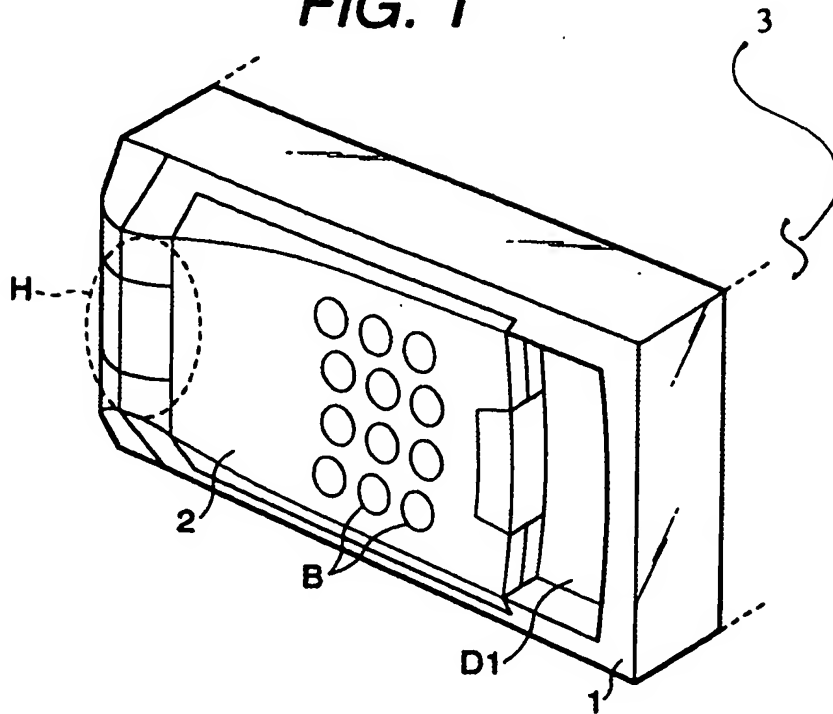


FIG. 2

